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Patent**Attorney Docket No.: 11016US05/100-236.P2.C2****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Lewis H. Lambert

Serial No.: 09/696,709

Filed: October 24, 2000

For: IMPROVED THERAPEUTIC
COMPOSITIONS COMPRISING
BACTERICIDAL/PERMEABILITY-
INCREASING (BPI) PROTEIN
PRODUCTS

Examiner: Sheridan K. Snedden

Group Art Unit: 1653

Conf. No.: 3310

Express Mail No. EV 327683289 US**Date of Mailing: May 29, 2003****RECEIVED**
JUN 04 2003
TECH CENTER 1600/2900**AMENDMENT AND RESPONSE TO OFFICE ACTION
MAILED NOVEMBER 29, 2002**Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandra, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed November 29, 2002 in the above-identified application wherein claim 1 and dependent claims thereto were rejected under 35 U.S.C. §112, second paragraph, claim 10 was rejected under 35 U.S.C. §101 for double patenting, and claims 1-4 and 9-11 were rejected under the judicially created doctrine of obviousness-type double patenting. Reconsideration and withdrawal of the rejections is respectfully requested in light of the following amendment and remarks. This response is timely filed, as a petition for a three-month extension of time and the requisite fee is filed herewith.